

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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	:	21cv8103 (DLC)
GOLOCK CAPITAL, LLC and DBW	:	
INVESTMENTS, LLC,	:	<u>ORDER</u>
	:	
Plaintiffs,	:	
-v-	:	
	:	
VNUE, INC.,	:	
	:	
Defendant.	:	
-----	X	

DENISE COTE, District Judge:

An Opinion of June 1, 2023 held that the plaintiffs are entitled to judgment on their breach of contract claims and to reasonable attorneys' fees. On June 9, the plaintiffs submitted a proposed judgment. On June 14, the defendant submitted its objections.

First, the defendant asserts that the default interest rate governing six of the seven promissory notes is 19%, not 24%. On June 14, the plaintiffs submitted a revised proposed judgment reflecting this revision and do not dispute this objection.

Second, the defendant objects to the inclusion in the damages award of the value of the common stock purchase warrants ("Warrants"). The plaintiffs were entitled to the Warrants under the April 29, 2019 second amendments to six of the seven promissory notes, and the defendant never delivered them to the plaintiffs. The plaintiffs pursued this claim based on the

Warrants at the trial and included the value of the Warrants in their damages calculation submitted into evidence at trial. The defendant made no objections to the inclusion of the Warrants in the plaintiffs' damages calculations, and presented no evidence or argument as to why the claim based on the Warrants should be resolved differently than the remainder of the claims based on the notes. The defendant's objection is therefore untimely.

It is hereby

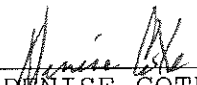
ORDERED that the defendant's objection as to the default interest rate on six of the seven promissory notes is sustained.

IT IS FURTHER ORDERED that the defendant's objection as to the inclusion of the value of the Warrants in the damages calculation is overruled.

IT IS FURTHER ORDERED that the plaintiffs' calculation of damages submitted on June 14 shall be adopted.

IT IS FURTHER ORDERED that a separate judgment shall address attorneys' fees.

Dated: New York, New York
June 16, 2023



DENISE COTE
United States District Judge